



Ministry
of Defence



DE&S Secretariat (Land Equipment)

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Defence Equipment & Support
Maple 0a # 2043
MOD Abbey Wood
Bristol BS34 8JH



Via:

16th February 2018 Our Ref: FOI2018/01816

Dear [REDACTED],

Thank you for your email of 5th February 2018 requesting the following information:

In relation to contract reference IRM16/1258:

- 1. What was the tender assessment/award criteria i.e. other than lowest price? Did it include a risk assessment? Were drawings packs made available? Please supply documentation to support these concerns.*
- 2. What is the process for releasing items under this contract i.e. are they physically inspected for instance? Please supply documentation that supports this process.*
- 3. With regards to costing and tooling, how was this handled on the tender documents? Was it possible to break down the costing to indicate how the figure had been arrived at? Please supply documentation to support these concerns.*
- 4. Can you confirm what penalties, in particular in relation to Key Performance Indicator Number 1, were included in the awarded contract?*
- 5. Can you confirm what regulations were followed in relation to the de-brief following tender assessment and contract award?*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is held. The answers are as follows:

1. The award criteria was the most economically advantageous. There was no risk assessment as tenderers were deemed eligible to compete at Dynamic Pre-Qualification Questionnaire stage and, therefore, received an Invitation to Tender. Drawing packs were not available; items were to be sourced as per the Codification Support Information System (CSIS). However, the Information Record Centre's contact details were available from CSIS and drawings could be obtained from there. The following extract is from the issued ITT Deform 47 Annex B (page AP6 of 7):

Tenderers shall be provided with NATO Stock Numbers and manufacturers' part numbers and, using ISIS, shall be required to source and price the items in scope for the requirement.

2. I can confirm that in the Terms and Conditions of the awarded contract is a statement relating to contractor's obligations with regard to Quality Assurance. A Deliverable Quality Plan must be set out as defined in AQAP 2105 and delivered to the Authority within 90 Business Days of contract award. Once agreed by the Authority the Quality Plan is incorporated into the contract. The Contractor shall remain, at all times, solely responsible for the accuracy, suitability and applicability of the Deliverable Quality Plan. In addition to this Certificates of Conformity must be supplied with each item as per the terms of the contract.
3. All costs were to be included within the piece price. The following extract is from the issued ITT Section D Tender Evaluation of Deform 47 (page A-7 of 16):

The total cost for the Contractor Deliverables listed at Annex A to Schedule 2 shall be comprised of a non-variable element and a variable element.

The non-variable element shall comprise all factors of the price build, such as labour, overheads and profit, which are not linked to the cost of raw materials specifically relating to the product and shall be firm for the duration of the contract i.e. not subject to variation in any respect.

4. The following Key Performance Indicators were included in the awarded contract.

KPI No 1		Delivery Performance			
KPI Description	The number of order lines completed by the agreed delivery date expressed as a percentage of the total number of order lines delivered in the period. KPI TARGET: More than or equal to 90%				
Performance Level	More than or equal to 98%	Less than 98% but more than or equal to 95%	Less than 95% but more than or equal to 90%	Less than 90%	
Payment Rebate	Nil	1.5%	2.0%	2.5%	

KPI No 2		Non-Conforming Deliveries (NCDs)			
KPI Description	The number of Non Conformance Reports issued by the Authority identifying NCDs expressed as a percentage of the total number of order lines delivered KPI TARGET: Less than or equal to 0.5%				
Performance Level	Less than or equal to 0.5%	More than 0.5% but less than 1%	More than 1% but less than 2%	More than 2%	
Payment Rebate	Nil	0.5%	1.0%	1.5%	

KPI No 3		New Stores Rejects (NSRs)			
KPI Description	The number of New Stores Rejects raised (where it is agreed that the Contractor is liable) as a percentage of the total number of order lines delivered in the period. KPI TARGET: Less than or equal to 1%				
Performance Level	Less than or equal to 1%	More than 1% but less than 2%	More than 2% but less than 3%	More than 3%	
Payment Rebate	Nil	0.5%	1.0%	1.5%	

5. All tenderers were sent a Defform 158B in relation to the award decision and given a debrief in line with DSPCR 2011.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,



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